REMARKS:

In response to the Office Action mailed June 19, 2006, a Response was filed on October 19, 2006. An advisory Action was mailed on November 30, 2006.

In the Office Action mailed June 19, 2006, the Examiner rejected claims 1, 2, 5-14 and 16-19.

Claims 1, 13, 14, 16, 18 and 19 are amended herein and new claim 20 is added herein. No new matter is presented. Claims 3, 4 and 15 remain cancelled.

A Request for Continued Examination is submitted herewith. Thus, claims 1, 2, 5-14 and 16-20 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 103(a):

Claims 1, 2, 5-14 and 16-19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the following: JP Patent Pub. No. 11-282863 (Takahiro), JP Patent Pub. No. 06334703 (Hiroshi), JP Patent Pub. No. 10-162033 (Toru) and U.S. Patent No. 6,466,796 (Jacobson).

Takahiro does not mention the case in which a server requests a user to send its own position information. In Takahiro, the most up to date position information previously registered is regarded as the current position of a terminal. Takahiro explicitly states that "the position...where the accessing user is presently located" or "the current location" which is not the actual current position of the user at the time of a service request but the most up to date position previously registered is used (see, paragraphs 0015, 0016 and context of the whole description of Takahiro).

Takahiro explicitly states:

> "For the above reason, according to the present invention, **the position information of a user is not obtained from a user terminal.** Position related information is provided based on the most up to date position information of the user registered in the information providing system in advance. Accordingly, **since there is no need to obtain position information from the user terminal with each time the position related information is distributed**, the position related information can be promptly distributed to the user terminal accessing the system" (emphasis added).

(paragraph 6 of Takahiro).

As can be seen from the above discussion, Takahiro does not teach or suggest the claimed "service-synchronous information terminals" **and** "service-asynchronous information terminals" (See discussion of claims below).

The Examiner relies on Hiroshi as teaching determination of a type of information terminal depending on data transmitted from an information terminal of the user. In Hiroshi, when a call request having a calling terminal unit's identifier is received, relevant database is identified based on the calling terminal unit's identifier (see, paragraph 9 and Fig. 2). However, Hiroshi is limited to services corresponding to the calling terminal unit's identifier.

The portable action detection device of Toru simply obtains environment data of a moving terminal and transmits the environment data based on a notice transmission condition previously set (see, Abstract).

On the other hand, Jacobson uses location data of a wireless telephone for determining telephone number of a service provider that provides service to the location of the caller in accordance with a priority set (i.e., nearest provider) (see, col. 5, lines 35-42, Fig. 7 and corresponding text).

The present invention provides services to various types of terminals based on centrally managed position information, without restricting services to certain type of terminals or carriers and without requiring service providers to obtain position information from the various terminals.

Independent claim 1 as amended recites that position information is received "from service-asynchronous information terminals that announce position information independently of requesting a service and support plural types of different communications protocol and/or data format" and "from service-synchronous information terminals that announce position information when requesting a service and that support plural types of different communications protocol and/or data format."

As further recited in claim 1, despite the various types of terminals, services offered by providers are offered "to the plural types of information terminals based on the position information received by service-synchronous position information acquisition unit."

Similarly, independent claims 13, 14, 16 and 18 recite, "services are offered based on position information" obtained from both the service-synchronous and service-asynchronous information terminals that support "support plural types of different communications protocol and/or data format."

10

Independent claim 19 recites, "acquiring position information of terminals receiving services from across multiple service providers, the terminals using a first protocol and a second protocol" and "providing a service of the service providers across the terminals using the acquired position information obtained via a single acquisition unit receiving position information from each terminal."

The cited references, alone or in combination, do not teach or suggest the above-identified features of the independent claims including "offering services to plural types of information terminals" including service-asynchronous and service-synchronous information terminals based on the acquired position information (see, claims 1, 13, 14, 16, 18 and 19).

In the June 19, 2006 Office Action, the Examiner also asserts that charging a fee is well known. Applicants respectfully submit that the claimed invention of claim 2 directed to "a process for charging a fee depending on an entry of a user to a system" including the service-synchronous and service-asynchronous information terminals (see also, claim 12) is not well known. Applicants respectfully traverse the Examiner's statement and request the Examiner to produce authority for the statement.

It is submitted that the independent claims are patentable over the cited references.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over the cited references. The dependent claims are also independently patentable. For example, claim 5 recites, "authenticating a user of a terminal which has announced position information using data from a service-synchronous information terminal, or data converted " and "storing position information extracted by a position information extraction unit together with information about the terminal determined by said terminal determination unit" (see also claim 8). The cited references, alone or in combination, do not teach or suggest these features of dependent claims 5 and 8.

Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIM:

New claim 20 has been added to recite, "acquiring position information of a terminal transmitting data via a first protocol using a terminal configured to use a second protocol" and "providing services offered by multiple service providers to the terminals that use the first and second protocols without requiring said service providers to request the position information when the services are requested by the terminals."

11

The cited references, alone or in combination, do not teach or suggest the above cited features including "acquiring position information of a terminal transmitting data via a first protocol using a terminal configured to use a second protocol" and "providing services... without requiring said service providers to request the position information when the services are requested by the terminals", as recited in claim 20.

It is submitted that new claim 20 is patentably distinguishable over the cited references.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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